

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CHAD DeSPAIN SHEDDY,

Plaintiff,

v.

**JPMORGAN CHASE BANK, N.A. and
BARRETT DAFFIN FRAPPIER
TURNER & ENGEL, LLP,**

Defendants.

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No. 3:12-CV-2804-M (BF)

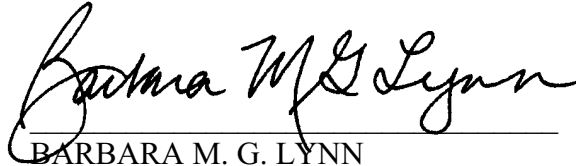
**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After making an independent review of the pleadings, files, and records in this case, and the Findings, Conclusions, and Recommendation of the United States Magistrate Judge dated September 6, 2013, the Court finds that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct, and they are accepted as the Findings, Conclusions, and Recommendation of the Court.

IT IS, THEREFORE, ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are accepted. Defendant JPMorgan Chase Bank, N.A.'s Motion to Dismiss (Doc. 14) is DENIED with respect to Plaintiff's breach of contract claim. In all other respects, JPMorgan Chase Bank, N.A.'s motion is GRANTED. Defendant Barrett Daffin Frappier Turner & Engel, LLP's Motion to Dismiss (Doc. 25) is GRANTED in its entirety. Plaintiff's claims against JPMorgan Chase Bank, N.A. and Barrett Daffin Frappier Turner & Engel, LLP for promissory estoppel, negligence, negligent misrepresentation, violations of the Texas Finance Code, including the Texas Debt Collection Act and prohibitions against usury, and

violations of the federal Real Estate Settlement Procedures Act and the federal Fair Debt Collection Practices Act are DISMISSED with prejudice.

SO ORDERED this 30th day of September, 2013.

A handwritten signature in black ink, reading "Barbara M. G. Lynn". The signature is written in a cursive style with a large initial "B".

BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS